

**FILED**

OCT 21 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAM PEREZ,

Petitioner,

v.

MARION E. SPEARMAN, Warden,

Respondent.

No. C 14-04286 BLF (PR)

ORDER GRANTING EXTENSION  
OF TIME TO FILE COMPLETE *IN*  
*FORMA PAUPERIS* APPLICATION

On September 23, 2014, Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk sent Petitioner a notice that his In Forma Pauperis ("IFP") Application, (Docket No. 2), was insufficient because he failed to attach the following supporting documents: (1) a Certificate of Funds in Prisoner's Account completed and signed by an authorized prison official; and (2) a copy of his prisoner trust account statement showing transactions for the last six months. (Docket No. 3.) Petitioner was directed to file a response within twenty-eight days of the notice to avoid dismissal of the action. (*Id.*)

On October 1, 2014, Petitioner filed a letter stating that he has resubmitted his IFP request to prison officials, (Docket No. 4), which the Court construes as a motion for an extension of time to file a complete IFP application. The motion is GRANTED.

1 Petitioner must either file the necessary documents to complete his IFP application or pay  
2 the \$5.00 filing fee **no later than twenty-eight (28) days** from the date this order is filed.

3 **Failure to file a response in accordance with this order in the time provided**  
4 **will result in the dismissal of this action without further notice to Petitioner.**

5 **IT IS SO ORDERED.**

6  
7 DATED: October 21, 2014

  
8 BETH LABSON FREEMAN  
9 United States District Judge  
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